



# Schererville Police Dept

Police Report for Incident S6-015238

**Nature:** Citizen Dispute  
**Location:** A2C

**Address:** 1013 W US Hwy30  
Schererville IN 46375

## Offense Codes:

**Received By:** K Henrikson

**How Received:** 9

**Agency:** SHPD

## Responding Officers:

**Responsible Officers:** A Buonadonna

**Disposition:** CAA 12/10/06

**When Reported:** 03:14:26 12/10/06

**Occurred Between:** 03:14:13 12/10/06 and 03:14:26 12/10/06

## Complainant:

**Last:**

**First:**

**Mid:**

**DOB:**

**Dr Lic:**

**Address:**

**Race:**

**Sex:**

**Phone:**

**City:** ,

**Responsible Officer:** A Buonadonna

**Agency:** SHPD

**Received By:** K Henrikson

**Last Radio Log:** \*\*.\*.\*.\* \*\*\*/\*\*/\*\*

**How Received:** 9 911 Call

**Clearance:** SHI Schererville Investigations

**When Reported:** 03:14:26 12/10/06

**Disposition:** CAA **Date:** 12/10/06

**Judicial Status:** 156

**Occurred between:** 03:14:13 12/10/06

**Misc Entry:** 139

**and:** 03:14:26 12/10/06

## Narrative

### AGGRAVATED BATTERY/DC/PI ARREST NARRATIVE

On 12/10/2006 at approximately 3:15AM Ofc.'s Knight, Janson, Sgt. Peifer & I were dispatched to Cavanaugh's for a fight in progress. Upon arrival I was approached by a M/B subject identified as Mark R. Banks M/B/34 who reported the following in summary:

While standing in the parking lot he observed two M/W's later identified as Eric E. Porterfield 32YO - Griffith, IN & Steven P. McPherson 24YO - Schererville, IN arguing with two other subjects later identified as Jesus Meraz Venegas M/H/21 - East Chicago, IN & Jason I. Dorado M/H/22 - Hobart, IN. As the argument moved across the parking lot Banks observed Venegas & Dorado "jump" Porterfield and a fight ensued. According to several people who approached me when I first arrived on scene, up to ten subjects were involved in the fight, but Banks could only ID Venegas & Dorado as the two who possibly battered Porterfield.

With the help of a subject who identified himself as an off-duty Sauk Village Police Officer, Venegas & Dorado were placed into custody (as they were attempting to flee the scene) and other subjects were detained until further SPD officers arrived. I went into Cavanaugh's where Porterfield was being attended to by Cavanaugh's staff as well as

SFD EMS and asked him for an ID and what had happened. Porterfield told me that I was "a cop so fucking figure it out." Porterfield was very uncooperative and refused to answer any questions other than his name. He also refused to show me a picture ID. Porterfield, who had swelling & bruising to both eyes was treated and transported to SMMS by SFD. At the hospital I met with Dorado (who had a strong odor of alcohol coming from his breath) and asked for his version of the story. He stated in summary that he was involved in a fight in the parking lot of Cavanaugh's and that "some big ass bald dude with a grey sweatshirt on" bit his ear. I asked Dorado if he could identify the subject who bit his ear and he stated "not even in a lineup." Dorado had a portion of his right ear bitten off and was released to hospital staff for treatment.

I then spoke with McPherson (who also had a strong odor of alcohol coming from his breath and slurred as he spoke) in the hospital waiting room. He stated in summary that Porterfield & him walked outside and saw a female who looked at them. McPherson asked the unidentified female what was going on when "some guys" came up to them asking them if they had a problem. McPherson stated he "took a swing at the one guy" when Porterfield began to argue with the subjects (sticking up for McPherson). That is when McPherson was struck on the side of the head. McPherson stated that several subjects began striking him and he went to the ground, covered his face and waited for them to stop punching. McPherson said that he would be unable to identify any of his assailants since they were "behind me."

I also met with Venegas at SPD (.09% PBT) who reported the following about the incident: He left the bar and was walking through the parking lot when he was punched in the face by an unknown subject that "came out of nowhere." Venegas reported that a large fight then ensued, but he could not ID anyone who battered him.

All subjects involved were very vague in their descriptions of potential suspects and uncooperative in their versions of what happened. Do to that fact, at the time of this report McPherson, Porterfield & Venegas will be charged with one count of Disorderly Conduct each, a Class B Misdemeanor IC 35-45-1-3(a)(1). McPherson & Venegas also will be charged with Public Intoxication through STC, a Class B Misdemeanor IC 7.1-5-1-3. Porterfield did not smell of alcohol which also was confirmed by ER staff. Pictures of all parties' injuries were taken. Venegas was transported to LCJ awaiting a \$400.00 cash bond. Warrants will be issued for McPherson & Porterfield.

12/10/2006 A. Buonadonna #169.

**Supplement**

## INVESTIGATIVE SUPPLEMENT

At approximately 5:30AM I received a call from SMMS ER Attending Physician Dr. Allocco who reported that Eric Porterfield was still in the ER and diagnosed with bilateral globe perforation, which, in layman terms means that Porterfield got his eyes literally poked out. Allocco requested that I return to the ER and meet with him.

After arriving at SMMS, Ofc. Janson & I observed Jason Dorado in the lobby awaiting the arrival of his ride. He was released by medical staff and diagnosed with a human bite wound to his right ear. Dorado was given antibiotics and instructions on how to care for his injury. Dorado was immediately placed into custody while I spoke with Dr. Allocco who reported that Dorado had told an ER Nurse, Anita Cummings, that he had Porterfield in a headlock when Porterfield bit his ear. Dorado also told Cummings that he "poked his eyes out" during the fight and that "what the fuck do you want me to do he bit me?" Allocco stated that Porterfield would be brought to surgery within the hour and that potential for losing sight in his right eye was great. Porterfield's left eye is also seriously damaged and even if he gains sight in it, the eye would be permanently damaged.

Det Vode was contacted by Sgt. Peifer and Vode advised to lodge Dorado at the Lake County Jail for Probable Cause Aggravated Battery a Class B Felony IC 35-42-2-1.5. He is also being charged with Disorderly Conduct a Class B Misdemeanor IC 35-45-1-3(a)(1), as well as Public Intoxication a Class B Misdemeanor IC 7.1-5-1-3. Dorado PBT'd a .10% at SPD. He was transported to LCJ awaiting an interview with an SPD detective.

12/10/2006 A. Buonadonna #169.



## Supplement

### VOLUNTARY STATEMENT

Date 12/20/06

Time 2:30 pm

Voluntary statement of: Jason Dorado

I, Jason Dorado, give the following free and voluntary statement to Det. M. Vode #156 who has/have identified themselves as Officers of the Schererville Police Department.

Q. What is your true name?

A. Jason Ivan Dorado

Q. Where do you live?

A. 2361 Hobart St. Gary IN 46406

Q. How old are you and what is the date of your birth?

A. 22, 10/9/84

Q. Where are you employed? (or attend school, if student)

A. Unemployed.

Q. were you at Cavanaugh's on 12/10/06?

A. Yes.

Q. Who were you there with?

A. Jesus, Andrea, and Anthony.

Q. Was there a fight that occurred?

A. Yes.

Q. What started the fight?

A. while we were walking to our cars one of the guys were talking to Andrea.

Q. Explain your involvement in the incident?

A. Smaller guy side something to Andrea. The bigger guy asked what are you going to do about it. The first punch was the big guy hit Jesus. Jesus was knocked down. Anthony then hit the big guy and they started fighting. I ran to them and grabbed the big guy. I was telling him to stop. I got him in a head lock and held him near a truck. He turned and bit my ear while we were both holding onto each other. Once he bit my ear he held onto it. I was yelling "get him off me". Mark Nolan Smith came over. The big guy and Mark wrestled to the ground. Once they were on the ground I kicked him maybe twice in the body, not in the head. Andrea was yelling and I then left the area and went to where a woman was at and she said that she was a nurse. I then got in the car with Andrea and the bouncers would not let us pull out. I then got out of the car and stated walking towards Round the Clock. The bouncers stated yelling and running at me. so I turned around and walked back. The cops then put me in cuffs.

Q. Were you injured during the fight?

A. Yes. my ear was bitten.

Q. Did you ever punch anyone that night?

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A. No.

Q. Did you see the smaller guy during the incident?

A. Only when the confrontation started. Not during the fight.

Q. Is there anything else you would like to add to the statement?

A. No that covers everything.

I have read this statement, consisting of \_\_\_\_ page(s) and the facts contained therein are true and correct, to the best of my knowledge.

Witness: \_\_\_\_\_ Signed \_\_\_\_\_

Witness: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_ pages

**Supplement**

Address was changed to 1013 W US30 from 1001 US41 the address was added incorrectly by the dispatcher. TB

## Supplement

### VOLUNTARY STATEMENT

Date 6/4/07

Time 1:45 pm

Voluntary statement of: Steven McPherson

I, Steven McPherson, give the following free and voluntary statement to Det. Vode who has/have identified themselves as Officers of the Schererville Police Department.

Q. What is your true name?

A. Steven McPherson.

Q. Where do you live?

A. 697 James Wittchen Dr Schererville

Q. How old are you and what is the date of your birth?

A. 25, 06/04/1982

Q. Where are you employed? (or attend school, if student)

A. UPS, Hodgkins Il., Purdue Cal. in Hammond.

Q. Were you at Cavanaugh's on 12/10/2006

A. Yes.

Q. Who were you there with?

A. Eric Porterfield. I Don't recall when we got there.

Q. Was there a fight that occurred?

A. Yes.

Q. What started the fight?

A. I was walking out towards the Library parking lot. A girl about 5'6" and stocky was in front of me a few feet away. She was yelling over my shoulder she was yelling to someone back towards the bar. I don't know what she was saying. I yelled "what" to her. I then heard someone from behind yelling something. Eric was a few steps in front of me and he said something back to them. I don't Remember what he said but Eric was saying something to them in a stern manner. I then turned around, I put my hands up and said I don't want to fight. Someone punched me and I fell back I landed in the bushes near the front of the library.

Q. Explain your involvement in the incident.

A. Once I fell in the bushes I was in the fetal position. I kept saying stop I surrender and the guy continued to hit me at least 10 more times.

Q. What did you do when you got up?

A. I got up and looked for Eric. There was a crowd around him. He was laying on the ground at the back of a vehicle. I noticed that his eyes were black and that he needed medical attention.

Q. Did you see any of Eric's fight?

A. I was down on the ground and I glanced up. He was on the hood of a tan SUV and there were several guys surrounding him. I saw approximately 4 male subjects punching at him.

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Q. Were you injured during the fight?

A. I had scrape on my for head.

Q. Did you ever punch anyone that night.

A. Not that I know of.

Q. Can you identify how hit you?

A. No.

Q. Can you identify anyone involved that night besides Eric?

A. No.

I have read this statement, consisting of \_\_\_\_ page(s) and the facts contained therein are true and correct, to the best of my knowledge.

Witness: \_\_\_\_\_ Signed \_\_\_\_\_

Witness: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_ pages

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## Supplement

### VOLUNTARY STATEMENT

Date 6/5/07

Time

Voluntary statement of: Andrea Acevedo

I, Andrea Acevedo, give the following free and voluntary statement to Det. Vode who has/have identified themselves as Officers of the Schererville Police Department.

Q. What is your true name?

A.

Q. Where do you live?

A.

Q. How old are you and what is the date of your birth?

A.

Q. Where are you employed? (or attend school, if student)

A.

Q. Were you at Cavanaugh's on 12/10/06?

A.

Q. Who were you there with?

A.

Q. Was there a fight that occurred?

A.

Q. What started the fight?

A.

Q. Who was fighting?

A.

Q. Who hit the smaller guy that said something to you?

A.

Q. Who was fighting with the bigger guy?

A.

Q. Were you involved in the fight?

A.

Q. Were you injured during the fight?

A.

Q. What did you do after the fight ended?

A.

Q. do you have anything else to add to this statement?

A.

I have read this statement, consisting of \_\_\_\_ page(s) and the facts contained therein are true and correct, to the best of my knowledge.

Witness: \_\_\_\_\_ Signed \_\_\_\_\_

Witness: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_ pages

## Supplement

### VOLUNTARY STATEMENT

Date 6/5/07

Time 3:00 pm

Voluntary statement of: Nathan Hilderbrandt

I, Nathan Hilderbrandt, give the following free and voluntary statement to Vode who has/have identified themselves as Officers of the Schererville Police Department.

Q. What is your true name?

A. Nathan Hilderbrandt

Q. Where do you live?

A. 3111 Eder St Highland 46322

Q. How old are you and what is the date of your birth?

A. Jan 18 1980, 27

Q. Where are you employed? (or attend school, if student)

A. Verizon Wireless

Q. Were you at Cavanaugh's on 12/10/06 at approximately 3 am

A. I was not in the building. I pulled in the lot to pickup a friend.

Q. What were you doing there?

A. I was picking up a friend

Q. What did you see in the lot?

A. A group of people punching each other.

Q. Where were the subjects located in the lot?

A. They were in the grass between Cavanaugh's and the library lot.

Q. Describe what you saw.

A. I pulled into the lot and there was a group of people moving towards the library it looked like they were fighting or going to fight. The group was on the right side of my vehicle I then drove to the back of the lot and turned around. As I was driving back I saw that they were fighting and there were no bouncers so I called the police. I then stopped my car facing 30 and the fight was happening on the passenger side approximately a car length away.

Q. Could you identify anyone that was fighting?

A. No, just the bigger guy that was trying to get up. He was the subject that you showed me in the picture. At one time he was lit up by head lights.

Q. Did you see the start of the fight?

A. No.

Q. Can you describe any part of the fight?

A. What I saw when I first came in was the crowd moving. Then I saw the big guy trying to get up and he fell, He made several attempts to get up at one point he was on his hands and knees. There was probably 2-3 guys kicking him when he was trying to get up. It look like the big guy was trying to get away.

Q. Can you describe anything about the subjects involved.

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A. I think the bigger guy was wearing a black shirt with a white shirt under it. The black shirt was torn open.

Q. Is there anything else you would like to add to this.

A. It looked like there was a guy trying to stop the others from kicking him. I think there was a black SUV with silver rims that left the area before the police arrived, They may have been involved. They speed out of the library.

I have read this statement, consisting of \_\_\_\_ page(s) and the facts contained therein are true and correct, to the best of my knowledge.

Witness: \_\_\_\_\_ Signed \_\_\_\_\_  
Witness: \_\_\_\_\_ Page \_\_\_\_ of \_\_\_\_ pages

## Supplement

### VOLUNTARY STATEMENT

Date 6/7/07

Time 3:30 pm

Voluntary statement of: Anthony Acevedo

I, Anthony Acevedo, give the following free and voluntary statement to Det. Vode who has/have identified themselves as Officers of the Schererville Police Department.

Q. What is your true name?

A. Anthony Acevedo

Q. Where do you live?

A. 149 Durbin st Gary IN

Q. How old are you and what is the date of your birth?

A. 23, 10/25/83

Q. Where are you employed? (or attend school, if student)

A. SherwinWilliams In south Holland IL

Q. Were you at Cavanagh's on 12/10/06?

A. Yes.

Q. Who were you there with?

A. I drove there at about 11 with Jesus. We met up Jason Dorado Nolan and my cousin Andrea

Q. Was there a fight that occurred?

A. Yes.

Q. What started the fight?

A. The first thing I saw was the reaction of the crowd. I heard people saw a fight. I saw my cousin Andrea and she was yelling ChuChe (Jesus' nickname). I saw Jesus and he was standing leaning over. He was holding his face and he was bleeding. He had blood all over his face and he was dazed, out of it. I then began pushing people out of the way, I found Jesus. I was then pushed and I lost Jesus for a few and then I found him. I then began walking him to my truck with Jesus. A bouncer then grabbed Jesus and took him back to where the fight was at. I then saw Andrea. Me and stayed until they took the others to jail. A female officer asked us what we were doing and then we were told to leave. We went to around the clock and waited until it was over.

Q. Explain your involvement in the incident.

A. I ran up to check on Jesus and I was pushing and shoving people.

Q. Did you ever punch or kick anyone that night?

A. No.

Q. Did you get injured?

A. No.

Q. Did you see the smaller guy during the incident.

A. No.



Q. Did you see who was fighting with the bigger guy.

A. When I lost Jesus I saw the big guy had JD pined to the truck and Nolan had him in a head lock trying to get him off of JD (Jason Dorado.)

Q. Were you drinking that night.

A. Yes. And every one else was as far as I know.

Q. Is there anything Else you would like to add to the statement?

A. No

I have read this statement, consisting of \_\_\_\_ page(s) and the facts contained therein are true and correct, to the best of my knowledge.

Witness: \_\_\_\_\_ Signed \_\_\_\_\_

Witness: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_ pages

**Supplement**

## INVESTIGATIVE SUPPLEMENT

On 12/11/07 I called St Margaret in Dyer and asked if Porterfield was still a patient. I was told he was no longer there. I then went to 1109 E 35th Ave in Griffith IN. That was the address listed for Eric Porterfield, there were no numbers listed. No one came to the door as I rang the bell. I had no other way of contacting Porterfield.

On 12/14/07 I received a call from Porterfield. I then went back to his apartment and met with him and his parents John and Mary Porterfield. I interviewed Eric in his bedroom and tape recorded the conversation. Eric Porterfield stated to me that he and his friend Steven McPherson arrived at Cavanaugh sometime between 12:00 and 12:30 am. They left the business at approximately 3:00 am when the business was closing. Both him and McPherson were walking to his vehicle that was parked in the lot of the Library. When they were in the area between the business lot and the library lot He noticed a group of guys just standing around. Then the subjects circled around McPherson and they say something to Steve about Steve going up to his girlfriend. Steve acts total clueless. Steve said sorry guys. He estimated there were 6-8 subjects. He was a little ahead of Steve and he turned around and said Hey guys we don't want any trouble were just leaving. Steve Walks on and they keep walking and following us. They keep coming towards us. Then it looked like they throw Steve down and try to hit him. So he is trying to do everything he can to try to keep then off of him and hurting him. He was not sure if he saw Steve being knocked down or if he saw them just going after Steve. He saw a barrage of guys and he continued to be hit and kicked. At one time one of the subjects gets him in a headlock and tells him just go to sleep and he was continually hit and kicked. I asked if he remembered biting someone and he said that anything was possible. I asked if anyone was poking his eyes and he said no, his injuries were from punches. I was told that Eric would be returning to his parents home out of state and that they would keep me up dated on his progress. At that time they were unsure if Eric's vision could be saved. On 1/22/07 I was faxed a report from University of Virginia, Dr. Paul Werblin. The letter discribes Porterfields injuries. The letter was added to the case report. As of this date Porterfield has not regained his vision.

On 12/15/06 I Spoke to Steve McPherson at SPD. He stated that as he was walking out he saw a girl screaming. I asked if he said anything to her. He gave me serveral different answers. He said he gave her a weird look. He said he just looked at her. He did not say anything to her, he might have mumbled something to her. He might have said "What" to her. She was yelling and he could not understand her. A guy came up and asked if he had a problem. Eric said something to the guy that asked if there was a problem. He was then hit in the forehead and he took a swing as he was trying to get his balance he was walking back and then he was hit again. He fell in the bushes in front of the library. He estimated that there were approximately 7 subjects that confronted him. Mcpherson was not sure if he could identify anyone that hit him and he would not be able to identify anyone that was fighting with Eric. He stated that he had a few bumps on his head and a scratch on his forehead. I did not recall any visible injuries on McPherson at the time of the interview except for minor marks on his hands.

On 12/20/06 I spoke to Jason Dorado at SPD. He gave a written statement. Dorado stated to me that he was drinking at Cavanaugh. He was with Jesus Venegas, Anthony Acevedo and Andrea Acevedo. As they were walking out a

smaller guy said something to Andrea, The bigger guy asked what are you going to do about it. The big guy then hit Jesus and Jesus was knocked down. Anthony then hit the big guy and they started fighting. Dorado grabbed the big guy, he got him in a head lock and held him near the truck Dorado was telling the subject to stop. The big guy turned and bit Dorados ear. Dorado began yelling "get him off of me". Mark Nolan Smith came over and began wrestling with the subject. Smith wrestled the big guy to the ground. Dorado then kicked the subject twice in the body. Dorado then left because he heard Andrea yelling. Bouncers from Cavanaugh then escorted him back to the scene. Dorado gave me a number for Andrea Acevedo and Mark Nolan Smith.

During the next two months I called both Andrea Acevedo and Mark Nolan Smith. I did not speak to Smith. I attempted to set up an interview with Andrea Acevedo several times. Several Meetings were postponed and then finally She stated that she would not be able to meet with me. I also asked her to locate her cousin Anthony Acevedo and have him call me. I never heard from Anthony. I also spoke to Dorado several times on the phone. He was asking me about the investigation. I informed him that I was having problems interviewing the subjects involved and asked him to have them contact me at SPD. I did not hear from anyone involved.

Also during this time I obtained a number for Mark Banks (938-3540). I attempted the number several times I was never able to speak to anyone. On March 26th 2007 I drove to the Address listed for Banks (5128 11th Ave. Gary In.) I made contact with a Male black subject that identified himself as William Banks, Mark Banks Father. I explained that I need to speak to Mark about an incident that occurred at Cavanaugh. I left my information and requested Mark call me. I did not hear from him. Prior to leaving I verified the number to the residence was (938-3540) Since being at the residence. I have called the number occasionally and no one has ever answered.

In April of 2007 I met with DP Dave Kowalczyk and discussed the case with him. It was suggested that I continue to attempt to locate the subjects involved. I again left a message for Dorado and Andrea Acevedo and informed them I still needed to speak to the others involved and asked for their assistance in contacting the subjects. I did not hear from them. I also called banks and was unable to speak to anyone. I again spoke to DP Kowalczyk. I was then instructed to inform the subjects that they could be subpoenaed to a Grand Jury if they do not contact me. I then called Andrea Acevedo, and the numbers listed for Jesus Venegus and Mark Smith. I was able to meet with Andrea Acevedo. I was told Venegus did not live at the location I called and the subject then hung up on me. I was unable to talk to Smith.

On 6/4/07 I again called Steven McPherson I asked if he could give me a written statement. He came to SPD and stated the following. McPherson stated that he was walking towards the library parking lot when he observed a girl yelling over his shoulder. He then yelled "What!" to her. He heard someone behind him yelling something. Eric was a few steps in front of him and Eric said something back to them in a stern manner. He then turned around put up his hands and said he did not want to fight. Someone punched him and he landed in the bushes in front of the library. After he fell someone punched him at least 10 more times. I asked McPherson if he saw any of Eric's fight and he said when he was on the ground he glanced up and saw Eric on the hood of a tan SUV and there were approximately 4 males around him. When McPherson got up he saw Eric on the ground. He noticed his eyes were black and that he needed medical attention.



On 6/5/07 Andrea Acevedo Agreed to met me at her place of work, the Chase Building in Merr. I prepared a question and answer voluntary statement at SPD and printed it out and took it to Acevedo. She hand wrote her answers to the questions. In her statement she said that she arrived at Cavanaugh by herself. While there she met Jason Dorado, (Chuce) Jesus Venegus, Nolan Smith and Anthony Acevedo. As she was walking out to her vehicle. A male white subject approached her touched her arm and said, "Shut the Fuck up". She then told him it was late, your drunk, why cause problems go home and go to sleep. He then apologized as her friends were walking up. After the smaller guy apologized a bigger male white approached them and said If we do have a problem what are you bitches going to do about it. Then the big guy hit Jesus and Jesus fell. Then everyone went after the big guy and the fight started. She does not know what any one person was doing during the fight. The first punch was the big guy hitting Jesus. Andrea Acevedo gave me a number for Anthony Acevedo. I called Anthony and set up an appointment.

Also on 6/5/07 I called and spoke to Nathan Hilderbrandt. He was the subject listed as the complainant. Hilderbrandt came to SPD and gave a written statement. He stated that he was not in Cavanaugh on 12/10/06. He only pulled into the lot to pickup a friend. As he pulled into the lot he noticed a group of people moving across the lot. They were either fighting or going to fight. When he turned around and drove back he stopped approximately a cars length from the fight. He noticed there were no bouncers present so he called the police. He then saw a big guy try to get up and he fell. Hilderbrandt identified that subject as Porterfield by a photo. Porterfield made several attempts to get up at one point he was on his hands and knees and there were 2-3 guys kicking him. It looked like Porterfield was trying to get away. It also looked like there was a guy trying to stop the others from kicking him. Hilderbrandt could not identify any of the other subjects involved.

On 6/7/07 I met with Anthony Acevedo at SPD and he gave me a written statement. He stated that he was at Cavanaugh with Jesus Venegas, Jason Dorado, Nolan Smith and Andrea Acevedo. I asked him what started the fight and he stated that the first thing he saw was the reaction of the crowd. Andrea was yelling "Chuche", Jesus' nickname. He saw Jesus standing, leaning over, holding his face. He noticed there was blood all over Jesus' face and Jesus was dazed "out of it". He then began pushing people out of the way. He located Jesus and he was pushed and lost Jesus. He then located Jesus and began walking him to his vehicle. A bouncer grabbed Jesus and took him back to the scene. He stated that he did not punch or kick anyone, he was not injured and he did not see the smaller guy (McPherson). The only portion of the fight he recalled was the big guy had Dorado pinned to the truck and Smith had him in a head lock trying to get him off of Dorado. Anthony stated that he is a good friend of Jesus Venegus. I told Acevedo that I have called Venegas and was told that he no longer lives at the location I have. He could not provide me with a number for him. Anthony stated that he would try to contact Venegas and tell him I need to interview him. As of this date I have not heard from Venegas.

After speaking with Anthony Acevedo I spoke to Porterfield on the phone. I informed him about statements I received and asked him about the beginning of the fight. He again was vague and evasive to that question. I asked him if he threw the first punch of the fight. He stated that it was possible. He became Argumentative. He then stated that he could not talk to me about it and he wanted to take time to remember. The next day I called him and again asked him if he could remember the start of the fight. He stated that he did

not want to talk to me about the incident. He became argumentative and he then stated that my attitude changed since I talked to the girl (Andrea Acevedo). He was not sure why I might be taking their side, perhaps the "girl was pretty". We then ended our conversation. Due to his allegations that I would corrupt the case because of Acevedo I decided to retain copies of our conversations. I told Porterfield that I would hold copies of the conversations.

I then called McPherson and left him two messages on his phone asking him to call me. I did not hear from him for two days. On 6/13/07 I went to his house. He was outside so I approached and talked to him. I asked him why he has not returned my calls and he stated that he received a call from Porterfield and Porterfield told him not to talk to me. I told him that after speaking to some of the subjects involved I had additional questions for him and Porterfield. He said that he would answer my questions. I confronted him with the fact that his story had changed several times about his contact with Andrea Acevedo. He admitted to me that when he has talked to me he was concerned that he would look bad if the fight started because of him and that is why he was not honest with me. He said that he was intoxicated that night and he did not know exactly what he said to Andrea but it was derogatory. He said it was possible that he told her "to shut the fuck up". However he does remember that, he did not touch her. I told him that I was concerned that he was also not being truthful with me about his involvement in the fight or him being hit at the beginning of the fight. I informed him that none of the subjects have mentioned fighting with him. I believed that he was not involved in an altercation. He then told me that the fight began with Porterfield and the other subjects (not him being hit). Porterfield was to his right side. He was not looking at them so he does not know who threw the first punch. When the fight started he was shoved back and he attempted to gain his balance. Someone chased him and he fell into the bushes and someone hit him a few times while he was in the fetal position. He said that he traveled 30-40 feet before he fell into the bushes. He probably laid there for a short time. He then got up and began to look for Porterfield. He located him near some vehicles. He agreed to go to the scene and show me the location. I told him we may do that in the future.

On 6/12/07 and 6/13/07 I was contacted by Rodger Guetz and Dennis Dunkin. They informed me that they were private investigators working for an attorney representing Porterfield. Dunkin asked to meet with me on 6/25/07. He also said that Porterfield was going to return to the area on 6/27/07 and they wanted to know if I would meet with Porterfield and his attorney. That meeting was set for 6/27/07.

As of this time I have not been able to interview Mark Nolan Smith, Jesus Venegas or Mark Banks.

Date 6/14/07      Reporting Officer      Vode #156



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**Supplement**

INVESTIGATIVE SUPPLEMENT

On 6/14/07 I received a call from Jesus Venages. He stated that he would give a written statement to me on 6/22/07. On 6/21/07 I spoke to Venages and confirmed the appointment. Also on 6/21/07 I again called Mark Nolan Smith. I received his voice mail. I left a message stating that was one of the last subjects I needed to interview.

Date 6/21/07 Reporting Officer Vode #156

## Supplement

### VOLUNTARY STATEMENT

Date 6/22/07

Time 7:00 pm

Voluntary statement of: Jesus Venages

I, Jesus Venagus, give the following free and voluntary statement to Det. Vode #156 who has/have identified themselves as Officers of the Schererville Police Department.

Q. What is your true name?

A. Jesus Venegas

Q. Where do you live?

A. 2017 Broadway East Chicago.

Q. How old are you and what is the date of your birth?

A. 22, 12/20/84

Q. Where are you employed? (or attend school, if student)

A. Chuys auto repair.

Q. What is your nickname?

A. Chuchi

Q. Were you at Cavanaugh's on 12/10/06?

A. Yes.

Q. Who were you there with?

A. I drove up there with Anthony Acevado.

Q. who else did you see there?

A. Andrea, Nolan, JD (Jason).

Q. Was there a fight that occurred?

A. Yes.

Q. What started the fight?

A. I was told that a guy was arguing with Andrea

Q. Explain your involvement in the incident.

A. As we were walking out. I saw Andrea arguing with two or three guys. I looked up and he hit me with his left hand. I realized there was an argument. I then looked forward and I was hit. I only had a few seconds to realize there was an argument.

Q. Did you say anything to anyone before you were hit?

A. No.

Q. Did you know why you were hit?

A. I just assumed that he thought I was going to approach him.

Q. Did you have any intention of approaching him?

A. Everyone walking through the parking lot walks towards the sidewalk. I was just walking to the side walk and everyone was merging together.

Q. Did you have any intention on fighting with that person who hit you?

A. No, I did not know what they were arguing about. I sill don't know what they were arguing about.

Q. Were you injured during the fight?

A. My lips and gums were cut and my nose was bleeding.

Q. Did you strick, punch or kick anyone?

A. No.

Q. Were you drinking that night?

A. Yes. I had maybe 6 drinks.

Q. Did you see the smaller guy before or during the incident?

A. No I just remember the big guy.

Q. Is there anything you would like to add to this statement?

A. While Tony was walking past I saw JD had been bit on the ear. He was running around and jumping. He was pounding on the hood of a truck.

I have read this statement, consisting of \_\_\_\_ page(s) and the facts contained therein are true and correct, to the best of my knowledge.

Witness: \_\_\_\_\_ Signed \_\_\_\_\_

Witness: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_ pages

**Supplement**

## INVESTIGATIVE SUPPLEMENT

On 6/22/07 Jesus Venegas came to SPD and gave me a written statement. He stated that he arrived a Cavanaugh's with Anthony Acevedo. As he was leaving he was walking to his vehicle that was parked in the library lot he noticed that there was an argument occurring with Andrea and possibly two to three subjects. There were other patrons walking the same direction because it was the only way to get to the library lot. As he got closer to the location where the argument was occurring. He looked up and saw a big guy involved in the argument. The guy looked at Venegas and then punched him in the mouth and nose. Venegas then possibly "blacked out". The next thing he could remember was Acevedo walking him to the car. He noticed a group fighting in the parking lot of the library. He could not see who was fighting. He did remember seeing Dorado holding his ear with blood running down his arm. Dorado was jumping up and down and pounding on the hood of a truck. As Venegas got to his vehicle security grabbed him by the neck and took him back to the area of the fight.

Venegas stated that he did not say anything to anyone prior to being hit and he did not hit or kick anyone that night. He said there was no physical fight before he was hit. The subjects around Andrea were only arguing. Venegas stated that it took him a few seconds to realize there was an argument occurring. As soon as he realized it he looked at the guy in front of him and he was hit. He does not recall seeing the smaller guy that was arguing with Andrea. His injuries were cuts to his lips and gums and a bloody nose.

Date 6/23/07 Reporting Officer Vode #156

## Supplement

### VOLUNTARY STATEMENT

Date 6/26/07

Time 11 am

Voluntary statement of: Eric Porterfield

I, Eric Porterfield, give the following free and voluntary statement to Det Vode who has/have identified themselves as Officers of the Schererville Police Department.

Q. What is your true name?

A. x

Q. Where do you live?

A. x

Q. How old are you and what is the date of your birth?

A. x

Q. Where are you employed? (or attend school, if student)

A. x

Q. Were you at Cavanaugh's on 12/10/2006

A.

Q. Where were you when you observed a problem with Steve McPherson?

A.

Q. What was the first thing you saw or heard with Steve?

A.

Q. Did you hear what Steve was saying to them?

A.

Q. Did you hear what they were saying to Steve?

A.

Q. Did you say anything to Steve or the other?

A.

Q. How did the argument turn physical?

A.

Q. What was Steve doing just before the physical altercation?

A.

Q. Did you see Steve get hit?

A.

Q. Did you see Steve fighting with anyone?

A.

Q. After the physical altercation started, do you remember anything that occurred during the fight?

A.



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Q. Did you kick punch or bit anyone during to the fight?

A.

Q. What injuies did you sustain as a result of the fight?

A.

Q. Do you know how the fight ended?

A.

Q. Do you have anything to add to this statement.

A.

I have read this statement, consisting of \_\_\_\_ page(s) and the facts contained therein are true and correct, to the best of my knowledge.

Witness: \_\_\_\_\_ Signed \_\_\_\_\_

Witness: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_ pages

## **Supplement**

### INVESTIGATIVE SUPPLEMENT

On 6/26/07 I prepared a question and answer statement for porterfield. Porterfield arrived at SPD with his attorney Robert Vann. Det. Cpl Markle and I first spoke with Vann and then I spoke to both Vann and Porterfield. Porterfield stated to me both personally and also through his attorney that he did not want to give a statement and he did not want to pursue criminal charges against anyone involved in the fight at Cavanaugh's. I informed Vann that I would complete the case by the end of the week and he would then be able to obtain a copy of the report through the records division.

Date 6/26/07 Reporting Officer Vode #156

## Supplement

### Investigative Supplement

On 6/27/07 I called Deputy Prosecutor Dave Kowalczyk and informed him about the case. He stated that the case will be closed and that no criminal charges will be filed. He did request that Porterfield sign a waiver of investigation. I faxed the waiver to Porterfields attorney and he stated that he would have it signed and return it.

On 6/29/07 I received a call from Tim Orms attorney for Jason Dorado. He wanted to know the status of the case. I informed him that the case was closed and there would not be any charges filed.

Date      Reporting Officer      Vode #156

## Supplement

### INVESTIGATIVE SUPPLEMENT

On Aug 21, 2007 I received a waiver of investigation from attorney Robert Vann's office signed by Eric Porterfield. The document will be added to the case file.

Date 11/2/07, Reporting Officer Vode